



# JESSAMINE COUNTY SCHOOLS

871 Wilmore Road • Nicholasville, KY 40356 • (859) 885-4179  
FAX • Superintendent's Office (859) 887-4811 FAX • Business Office (859) 885-4204  
FAX • Personnel/Health/Food Service Offices (859) 885-5790

January 21, 2007

FCC  
Office of the Secretary  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Greetings,

I am writing to file an appeal of a decision by the USAC regarding a funding commitment on our 2005-2006 e-rate reimbursement. This is based on **CC Docket No. 02-6**. Our billed entity number is 128788, form 471 application number is 498994, and the corresponding funding request numbers are 1435122, 1435148, 1435209, 1435235, 1435248, and 1435357. Our appeal was necessary because we had failed to meet the deadline for requested additional information.

I appealed USAC's decision and sent the information they requested. The decision not to grant our original appeal is certainly just and within the parameters of the guidelines. I am not appealing based on any suspected misconduct or misinterpretation of the policies.

I would like to appeal for mercy over justice. The failure to meet the requested deadline was due to a change in leadership that was occurring in this office during that time. My predecessor, Val Gallutia, was transitioning into a building level administrative position and I was transitioning from a similar position into the Chief Information Officer role. In the midst of the confusion and huge learning curve this oversight was committed.

Clearly this was an "administrator error" on our part. I can assure you it was not a disregard for the rules of USAC or a lack of respect for the organization. We appreciate very much the resources we have been able to fund through the e-rate program. I am appealing so that our services to the students of our school community do not have to be compromised. We rely on the funds from this reimbursement to reduce our telecommunications expenses and subsequently free up funds for other technology applications. Without these monies next year we will be forced to reduce our services and programs to students. I ask for mercy so that our students don't have to suffer because of a slip on our part.

I have included attachments of the original request as well as our response and that of USAC.

Thank you for your consideration and I am looking forward to hearing from you.

Sincerely,

Paul R. Hamann  
Chief Information Officer

*Through mutual commitment, support, and engagement from citizens, parents, and educators, Jessamine Schools will cultivate caring learning environments that motivate and challenge all students to think, learn, and perform at high levels.*



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September 21, 2006

Letter of Appeal  
Schools and Libraries Division – Correspondence Unit  
100 S. Jefferson Rd.  
P.O. Box 902  
Whippany, NJ 07981

To Whom It May Concern:

Jessamine County Schools, Billed Entity #128788, recently received notification in our FCDL dated 08/15/2006, that our form 471 application #498994 was not funded because "Applicant has not provided sufficient documentation." I would like to request that you consider this appeal upon the submission of that documentation.

I assumed my position as Chief Information Officer on July 1, 2006 and was unaware of all that had transpired with our USAC application up to that point. Upon receipt of the notice that we had not been funded I became aware of the attached letter received 5/9/2006 stating the need for additional information. I assume the cause for the unfunded status is communicated in this correspondence.

I am requesting that you permit us to submit this information, which is attached, and that you reconsider our application. I realize this is outside of the time frame for submitting requests, but given the normal confusion present during the transition in leadership we just experienced, I ask that you take our application under consideration. Clearly we rely a great deal on the funds available through this program and our services to students would suffer significantly without them.

Thank you for your kind consideration,

Paul R. Hamann  
Chief Information Officer  
Jessamine County Schools  
(859)887-9502  
[paul.hamann@jessamine.kyschools.us](mailto:paul.hamann@jessamine.kyschools.us)

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Date: September 21, 2006

In reference to letter received and dated May 9, 2006 concerning Application #498994.

In response to question #1:

The Jessamine Early Learning Village is our school district's Preschool and Kindergarten education center. Students that attend this school are between the ages of 3 and 6 years of age and only attend a maximum of 6 ½ hours per day. This is not a residential facility.

In response to question #2:

This is a Pre-K and K facility. In my original application #498994, this requested funding amount has already been reduced by the percentage of pre-school students attending this facility. Below is a chart of services provided to the building and based on the 471 Attachment numbers provided with my original 471, I have calculated total amount of services, total amount of services after pre-school percentage reduction, and the total reduction.

Jessamine Early Learning Village Current Telecommunications							
FRN#	Services:	Amount	Monthly Cost	Total Yearly Cost	Cost after Preschool Reduction	Total reduction	471 Attachment
1435209	T1 Line	1	\$412.00	\$4,944.00	\$3,436.08	\$1,507.92	471_ATT_3
1435235	Long Distance Services	3	\$7.21	\$259.56	\$180.39	\$79.17	471_ATT_4
1435148	Basic Local Phone System	5	\$63.94	\$3,836.40	\$2,666.30	\$1,170.10	471_ATT_2
Total Telecommunications				\$9,039.96	\$6,282.77	\$2,757.19	
Percentage of Preschool based on enrollment numbers:				30.5%			
Total Enrollment in facility:				760			
Total Pre-K Enrollment in facility:				232			

This school does not have wireless phone service.

Attached to the fax are the 471 Attachments effected from my original application.

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In response to question #3:

The Central Office Annex facility does house adult education students. The only service they telecommunications service they receive that Application 471040 covers is basic phone service. The reduction, based on the chart below, is reflected in the appropriate Attachment with this fax.

<u>Adult Education Current Telecommunications</u>					
FRN#	Services:	Amount	Monthly Cost	Total Yearly (Pre-discount Cost) reduction	471 Attachment
	T1 Line	0			
	Long Distance Services	Their service is with another company and is not a part of this 471 application.			
1435148	Basic Local Phone System	2	\$63.94	\$1,534.56	471 ATT 2
	Cellular Phone Service	0			
Total Telecommunications				\$1,534.56	

After further review FRN# 1435148 needs to be reduced an additional \$112.69 per month.

In response to question #4:

This is a secondary school (vocational school) that does not have a set student enrollment. Students attend this school part time through-out the day in order to attend classes in the areas of information technology, pre-engineering, health services, agriculture, and business. The students enrolled in classes at the center attend the other 2 high schools in the district and are in grades 9-12.

In response to question #5:

I have attached the State Master Contract to this letter.

If other documentation is required please let me know.

Sincerely,



Paul R. Hamann  
Chief Information Officer  
Jessamine County Schools



**Universal Service Administrative Company**  
Schools & Libraries Division

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Date: 5/9/2006

Dear: Val Gallutia  
Jessamine County School District  
859-887-9502  
Application Number: 498994

The Program Integrity Assurance (PIA) team is in the process of reviewing all Funding Year 2006 Form 471 Applications for schools and libraries discounts to ensure that they are in compliance with the rules of the Universal Service program. We are currently in the process of reviewing your Funding Year 2006 Form 471 Application. To complete our review, we need some additional information. The information needed to complete the review is listed below.

1. The entity listed below was included in a request for services on this application(s), and appears to be or include residential facilities. The entity is: Jessamine Early Learning Village.

Please provide the following additional information about these entities:

- 1) Describe and detail what portion of the service is provided to dormitories or residences within the residential facilities.
- 2) Identify the dollars or the percentage of dollars associated with the services that are to be provided to the dormitory or residence rooms.
- 3) Confirm that the balance of the services are being provided to facilities of instruction or classrooms.
- 4) Please provide substantiating documentation supporting your statements.

Your response must include signature and title; or if responding via email, name and title.

For further information regarding Pre-K facilities, please refer to the USAC website.

2. The entity(ies) listed below appear to be Pre-K facility(ies), and are included in a request for services on your FY2006 Form 471 application 498994. The entity(ies) are: Jessamine Early Learning Village.

In your state, Pre-K students and separate Pre-K facilities are not eligible for funding. Any services for Pre-K students, whether in a separate facility, or when part of (a component of) the population of a regular elementary or secondary school, are ineligible. Likewise, any services delivered to separate facilities for Pre-K students are also ineligible.

Please respond to the following questions:

1. Does the facility include a Pre-K?
2. Is the Pre-K facility(ies) a separate facility(ies), or part of an elementary or secondary school?
3. Please provide the Pre-K enrollment (count) that is included in Block 4 of this Form 471.
4. Please provide the Pre-K students eligible (the count) for free and reduced lunch that are included in Block 4 of this Form 471.
5. Please provide a dollar cost allocation or percentage of total cost for the Pre-K students for each FRN.

Your response must include signature and title; or if responding via email, full name and title.

For further information regarding Pre-K facilities, please refer to the USAC website.

3. The entity(ies) listed below appear to be Adult Ed facility(ies), and are included in a request for services on your FY2006 Form 471 application **498994**. The entity(ies) is: **Jessamine Co Central Office Annex**.

In your state, Adult Ed students and separate Adult Ed facilities are not eligible for funding. Any services for Adult Ed students, whether in a separate facility, or when part of (a component of) the population of a regular elementary or secondary school, are ineligible. Likewise, any services delivered to separate facilities for Adult Ed students are also ineligible.

Please respond to the following questions:

6. Does the facility include Adult Ed?
7. Is the Adult Ed facility(ies) a separate facility(ies), or part of an elementary or secondary school?
8. Please provide the Adult Ed enrollment that is included in Block 4 of this Form 471.
9. Please provide the Adult Ed students eligible for free and reduced lunch that are included in Block 4 of this Form 471.
10. Please provide a dollar cost allocation or percentage of total cost for the Adult Ed students for each FRN.

Your response must include signature and title; or if responding via email, name and title.

For further information regarding Adult Ed facilities, please refer to the USAC website.

4. Based upon review of your Form 471 application and/or the documentation you provided, we were not able to determine the eligibility of **Jessamine Career & Technology Center**. In order to be eligible to receive discounted services, per the rules of this program, the entity providing classroom instruction must be considered part of an elementary or a secondary school found in the No Child Left Behind Act of 2001 (20 U.S.C. Section 7801 (18) and (38)) which is not operating as a for-profit businesses, and does not have an endowment exceeding \$50 million. Please provide documentation that will verify that the entity meets the definition provided above.

If this entity is a non-instructional facility, it can be eligible for services under certain circumstances. For App. **498994**, please provide a written Yes/No response indicating whether either of these two following descriptions accurately and completely describes your school, school district or library's situation, and if so, which one or both:

- a) Is the non-instructional facility is owned by the school, school district or library and is used solely for school, school district or library business? (Yes/No)
- b) Do only school, school district or library employees use the non-instructional facility? (Yes/No)

If the FRN is a request for Priority 2 services, please also respond to the following question:

Are the Internal Connections and/or Basic Maintenance in the non-instructional facility essential for the effective transport of data and information to an instructional building of a school or to a non-administrative building of a library? (Yes/No)

(Note: Your response should be based on the amount of funds you are requesting, which may be after cost-allocation has taken place. For example, a school could identify the school portion of a combined church/school phone bill and identify that portion that is "used for school business by school employees.")

For further information about funding requests to non-instructional facilities, consult the "Educational Purposes" document at <http://www.universalservice.org/sl/applicants/step06/educational-purposes.aspx>

5. For FRN **1435209**, the Contract Award Date ("CAD") of **02-01-2005** for the services requested is before the Allowable Contract Date ("ACD") of **01-04-0006** of the cited Form 470.

The rules of this program require that the CAD be after the ACD. Please provide a copy of the full contract, signed and dated by both parties, to verify the correct CAD. If the contract is a State Master Contract, you do not have to submit a copy of the signed contract if that contract is available online or has already been submitted to PIA. Please provide us with the contract name and number of the State Master Contract. If you have already submitted the relevant contract information in connection with another review, please provide the Form 471 application number involved so that we can locate the documentation in our files.

For further guidance regarding Contract Award Date, please refer to the SLD website at: Step 4: Select a Service Provider [www.universalservice.org/sl/applicants/step04/default.aspx](http://www.universalservice.org/sl/applicants/step04/default.aspx)

Please fax or e-mail the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested so we can complete our review. **Failure to do so may result in a reduction or denial of funding.**

Should you wish to cancel this Form 471 application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the Form 471 application number and/or funding request number(s), and the complete name, title and signature of the authorized individual.

**Please send the requested information within seven calendar days. If you need additional time to prepare your response, please let me know as soon as possible.**

Thank you for your cooperation and continued support of the Universal Service Program.

Sincerely,

Fabio Nieto  
Schools and Libraries Division  
Program Integrity Assurance  
Phone: 973-581-5045  
FAX: 973-599-6523  
[fnieto@sl.universalservice.org](mailto:fnieto@sl.universalservice.org)





**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2006-2007**

December 13, 2006

Paul R. Hamann  
Jessamine County Schools  
871 Wilmore Road  
Nicholasville, KY 40356

Re: Applicant Name: JESSAMINE COUNTY SCHOOL DIST  
Billed Entity Number: 128788  
Form 471 Application Number: 498994  
Funding Request Number(s): 1435122, 1435148, 1435209, 1435235, 1435248,  
1435357  
Your Correspondence Dated: September 21, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2006 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1435122, 1435148, 1435209, 1435235, 1435248,  
1435357

Decision on Appeal: **Denied**

Explanation:

- Upon thorough review of the appeal letter and the relevant documentation, USAC has determined that Jessamine County School District failed to respond to the Program Integrity Assurance (PIA) inquiries in a timely manner. PIA made initial contact with Val Gallutia on May 9, 2006, via fax, requesting documentation regarding the Jasmine Early Learning Village and the possibility it included residential facilities, Pre-K facilities, and Adult Ed facilities, as well as a copy of the supporting contract for funding request number 1435209, within 7 days. Since no response was received, PIA initiated a second request to Ms. Gallutia on May 17, 2006, via fax, requesting her to provide the same information, again within 7 days. As of May 25, 2006, Ms. Gallutia failed to provide a response to



PIA regarding the entity questions. Per program rules, if there is insufficient documentation to determine the eligibility of a service or entity, the service and entity are deemed ineligible. You have failed to provide evidence on appeal that USAC erred in its original decision. Therefore, the appeal is denied.

- USAC reviews Form 471 applications and makes funding commitment decisions in compliance with FCC rules. See 47 C.F.R. sec. 54.500 et. seq. To conduct these reviews, USAC has put in place administrative measures to ensure the prompt resolution of applications. See Request for Review by Marshall County School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of National Exchange Carrier Association, Inc., CC Docket Nos. 96-45 and 97-21, 18 FCC Rcd. 4520, 4522, Order, DA 03-764 para. 6 (rel. Mar. 13, 2003). (Marshall County) One such measure is that applicants are required to respond to USAC's requests for the additional information necessary to complete their application within 7 days of being contacted. Id.; SLD section of the USAC website, Reference Area, "Deadline for Information Requests," [www.usac.org/sl](http://www.usac.org/sl) This procedure is necessary to prevent undue delays during the application review process. See Marshall County para. 6. If applicants do not respond within this time period, USAC reviews the application based on the information before it.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company